

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JOHN HALASZ, an individual,  
Plaintiff,

v.

BUSCO, INC. d/b/a ARROW STAGE LINES;  
DOES I-X; ROE BUSINESS ENTITIES I-X,  
Defendants.

Case No. 2:21-cv-02058-JCM-DJA

**ORDER SCHEDULING EARLY  
NEUTRAL EVALUATION**

IT IS HEREBY ORDERED that an **in-person** Early Neutral Evaluation Session (“ENE”) is set for **March 17, 2022**. Plaintiff must report to the chambers of the undersigned United States Magistrate Judge, Room 4068, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada at **9:00 a.m.** Defendants must report to the chambers of the undersigned at **9:30 a.m.**

The Court is closely following and reinforcing the guidelines from the CDC and other relevant health authorities and is taking precautionary measures to limit the potential spread of the COVID-19 virus. **ENE attendees must wear face masks when in generally accessible areas of the Courthouse.**

**DO NOT COME TO THE COURTHOUSE IF YOU ARE EXPERIENCING FLU-LIKE SYMPTOMS SUCH AS A COUGH, FEVER, OR SHORTNESS OF BREATH, OR IF YOU HAVE BEEN IN CONTACT WITH ANYONE WHO HAS BEEN RECENTLY DIAGNOSED WITH A COVID-19 INFECTION. IF FOR ANY REASON YOU DO NOT FEEL WELL OR BELIEVE YOU HAVE BEEN EXPOSED TO COVID-19, YOU MUST CONTACT EMILY SANTIAGO AT EMILY\_SANTIAGO@NVD.USCOURTS.GOV, AS FAR IN ADVANCE OF THE ENE DATE AS POSSIBLE. THE ENE MAY BE RESCHEDULED OR ARRANGMENTS TO HAVE A PARTY ATTEND REMOTELY MAY BE MADE.**

Unless the Court orders otherwise, all parties must be present in person for the duration of the ENE. This means that all Plaintiffs and all Defendants must attend unless

1 expressly excused by the Court. **Any request to be excused must be filed, after consultation**  
2 **with opposing counsel, no later than seven (7) days before the date of the ENE.**

3 If any party is subject to coverage by an insurance carrier, a representative of the insurance  
4 carrier with authority to settle this matter up to the full amount of the claim **must** attend.

#### 5 PREPARATION FOR ENE SESSION

6 In preparation for the ENE session, each party must submit a confidential evaluation  
7 statement for in camera review. The **confidential evaluation statement, with exhibits, generally**  
8 **not to exceed 50 pages, must be delivered electronically to Emily\_Santiago@nvd.uscourts.gov**  
9 **by 4:00 p.m. on Thursday, March 10, 2022.**

10 The confidential statement must contain the following:

- 11 1. A brief statement of the nature of the claims and defenses.
  - 12 2. A concise summary of the evidence that supports your theory of the case, including  
13 key individuals who will provide testimony if this matter goes to trial, the Rule 26(a)(1)(A)(iii)  
14 computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information. Each party must  
15 provide all information that documents or supports your damages claims. Copies of medical records  
16 or treatment records need not be submitted; however, these may be provided in a table or summary  
17 format.
  - 18 3. Attach to the statement submitted any documents or exhibits that are relevant to key  
19 factual or legal issues, including selected pages from deposition transcripts or responses to other  
20 discovery requests. **Please do not provide entire deposition transcripts.**
  - 21 4. Provide an analysis of the key issues involved in the litigation. The analysis must  
22 include a discussion of the strongest points in your case, both legal and factual, and a frank discussion  
23 of the weakest points as well. The Court expects the parties to present a thorough analysis of the  
24 key issues and candid evaluation of the merits of your case.
  - 25 5. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps, or  
26 motions pending before the court.
- 27  
28

1           6.       Provide the history of settlement discussions, if any, which have occurred in this case.  
2 Provide any demands, offers, or offers of judgment that have been made and, if applicable, the  
3 reasons they have been rejected.

4           7.       Provide the initial settlement proposal that will be presented at the ENE session with  
5 a justification for any monetary amount. The proposal must include any non-monetary settlement  
6 terms that will be presented.

7           8.       Do not serve a copy of your confidential evaluation statement on opposing counsel.  
8 Do not deliver or a mail copy the clerk's office.

9           The purpose of the ENE statement is to assist the undersigned Magistrate Judge in preparing  
10 for and conducting the ENE session. To facilitate a meaningful session, your utmost candor in  
11 responding to all of the above listed questions is required. The ENE statement will remain  
12 confidential. If this case does not settle, the ENE statement will not be disclosed to the Judge who  
13 will preside over the trial. Each statement will be securely maintained in my chambers and will be  
14 destroyed following the conference.

15           Failure to comply with the requirements set forth in this order will subject the non-compliant  
16 party to sanctions under Local Rule IA 11-8 or Federal Rule of Civil Procedure 16(f).

17  
18           Dated this 31st day of January, 2022.

19  
20             
21           ELAYNA J. YOUCHAK  
22           UNITED STATES MAGISTRATE JUDGE  
23  
24  
25  
26  
27  
28